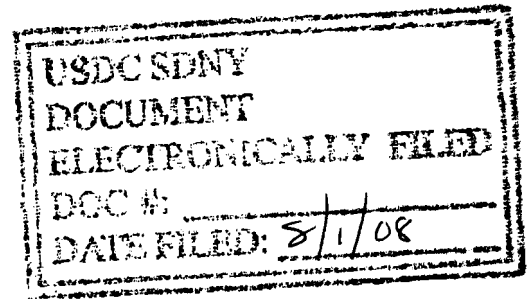


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
SONIA ELAINE BUTLER,

Plaintiff,

- against -

THE NEW YORK HEALTH AND
RACQUET CLUB, et al.,

Defendants.
-----X

:
: **SCHEDULING ORDER**

: 08 Civ. 591 (PAC)(FM)

FRANK MAAS, United States Magistrate Judge.

Pursuant to the conference held on July 29, 2008, it is hereby ORDERED

that:

1. **The Date of the Conference and the Appearances for the Parties:**

A conference was held with the Court on July 29, 2008. Plaintiff Sonia Butler, 13 Lake Place, New Haven, Connecticut 06511, 917-476-4667, appeared pro se. Klein Zelman Rothermel LLP, 485 Madison Avenue, New York, New York 10023, 212-935-6020, by Jane B. Jacobs and Michael R. Futterman, appeared on behalf of defendants.

2. **A Concise Statement of the Issues as they then Appear:**

The complaint alleges claims for employment discrimination pursuant to Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, the New York State Human Rights Law, the New York City Human Rights Law and the Equal Pay Act.

3. **A Schedule Including:**

a. **The Names of Persons to be Deposed and a Schedule of Planned Depositions:**

- i. Plaintiff may depose no more than ten of the following witnesses whose testimony will have to be transcribed at her expense by a court-certified transcriptionist: Doug Talmage, Jeff Bodnar, Maryann Donner, Howard Brodsky, Jr., Joan Marchese, Khristan A. Heagle, Charles Tyler, Michelle Blondemonville, Marcus Jackson, Samuel Hawkins, Consuela Morakova, Debra Blum, Paula Brown, Michelle Greenberg, Tony Perlingiere and Sonny Kim.
- ii. Defendants will agree on dates for those individuals in which a protective order is not sought or granted.
- iii. Defendants intend to depose the plaintiff, Sonia Butler, on a mutually agreeable date to be determined. Defendant reserves the right to depose additional witnesses as the evidence develops.

b. **A Schedule for Production of Documents:**

- i. Initial disclosures shall be served by August 15, 2008.
- ii. On or before September 5, 2008, the parties shall serve their document demands and interrogatories.

c. **Dates by which (i) Each Expert's Reports will be Supplied to the Adversary, and (ii) Each Expert's Deposition will be Completed:**

At this time neither party anticipates the use of expert witnesses.

d. **A Date when Discovery is to be Completed:**
December 31, 2008.

- e. **A Date when a Telephonic Status Conference with Counsel to the Parties and the Court will be held:**
January 6, 2009, at 5 p.m. Defense counsel shall initiate the conference by calling Chambers at (212) 805-6727.

4. **A Statement of Any Limitations to be Placed on Discovery, Including Any Protective or Confidentiality Orders:**

The Plaintiff is not aware of any such issues at this time. Plaintiff reserves the right to seek a protective order with respect to written discovery, if necessary. If the parties cannot agree, Defendants will seek a protective order precluding the depositions of some of the witnesses that Plaintiff intends to depose. Defendants reserve the right to seek a protective order with respect to written discovery, if necessary.

5. **A Statement of Any Issues Relating to Electronically-Stored Information or the Forms in which it is to be Produced:**

The parties are not aware of any such issues at this time.

6. **A Statement of Any Other Discovery Issues as to which Counsel, After a Good Faith Effort, were Unable to Reach an Agreement:**

The parties are unaware of any such issues at this time.

7. **Anticipated Fields of Expert Testimony, if Any:**

The parties do not anticipate the use of expert testimony at this time.

8. **Anticipated Length of Trial and whether, and by whom, a Jury has been Requested:**

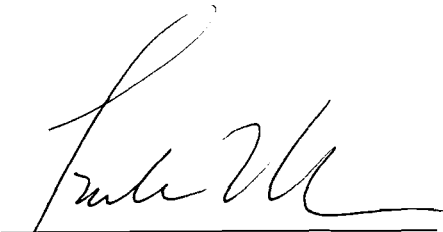
Plaintiff anticipates that a trial would take two or three weeks. Defendants anticipate that a trial would take two to three days. Plaintiff has requested a jury trial.

9. The parties acknowledge that courtesy copies of all motion papers, marked as such, should be submitted to Chambers.

10. This Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference or when justice so requires.

SO ORDERED.

Dated: New York, New York
July 31, 2008



FRANK MAAS
United States Magistrate Judge

Copies to:

Hon. Paul A. Crotty
United States District Judge

Sonia Elaine Butler
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New Haven, CT 06511

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